

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION)
_____)
)

THIS DOCUMENT RELATES TO:)

MDL No. 1456

United States of America ex rel. Ven-a-Care of)
the Florida Keys, Inc. v. Abbott Laboratories,)
Inc., Civil Action No. 06-11337-PBS;)

Civil Action No. 01-12257-PBS

Hon. Patti B. Saris

United States of America ex rel. Ven-a-Care of)
the Florida Keys, Inc. v. Dey, Inc., et al., Civil)
Action No. 05-11084-PBS; and)

United States of America ex rel. Ven-a-Care of)
the Florida Keys, Inc. v. Boehringer)
Ingelheim Corp., et al., Civil Action No. 07-)
10248-PBS)
)
)

CORRECTED APRIL 2008 STATUS REPORT OF THE UNITED STATES AND THE
RELATOR VEN-A-CARE OF THE FLORIDA KEYS

The United States of America ("United States") and Ven-A-Care of the Florida Keys, Inc. ("Ven-A-Care" or the "Relator"), Plaintiffs, through their undersigned counsel, respectfully file the attached Status Report for April 2008, in accordance with the Court's June 17, 2004, Procedural Order.

United States of America ex rel. Ven-a-Care of the Florida Keys, Inc., v. Abbott Laboratories, Inc.

MDL Docket Number 06-11337

Original Jurisdiction: U. S. District Court Southern District of Florida

Item No.	Pending Motions	Hearing Date
1.	<p>(Docket #4711) Abbott Laboratories, Inc.'s Motion For a Preservation Order and Affidavit Regarding Spoliation Issues</p> <ul style="list-style-type: none"> ● (Docket #4744) United States' Unopposed Motion to Enlarge Time ● (Docket #4808) United States' Response to Defendant Abbott's Motion for a Preservation Order. ● (Docket #4820) Abbott Laboratories Inc.'s Unopposed Motion for Leave to File a Reply Memorandum in Support of Motion for a Preservation Order and Affidavit Regarding Spoliation Issues ● (Docket #4883) Abbott Laboratories, Inc.'s Renewed Motion for Leave to File Reply in Support of Its Motion for a Preservation Order and Affidavit Regarding Spoliation Issues 	
2.	<p>(Docket #5035) Abbott Laboratories, Inc.'s Motion to Compel Ven-A-Care to Provide Adequate Responses to Abbott's Fourth Set of Interrogatories</p> <ul style="list-style-type: none"> ● (Docket #5057) Relator's Opposition to Abbott Laboratories, Inc.'s Motion to Compel Ven-A-Care to Provide Adequate Responses to Abbott's Fourth Set of Interrogatories 	

3.	<p>(Docket #5112) Abbott Laboratories, Inc.'s Motion to Compel Testimony of Government Witnesses</p> <p>(Docket #5115) Abbott's Memorandum in Support of Its Motion to Compel Testimony of Government Witnesses</p> <ul style="list-style-type: none"> ● (Docket #5144) Memorandum by United States in Opposition to Abbott's Motion to Compel Testimony of Government Witnesses ● (Docket #5151) Abbott Laboratories, Inc.'s Unopposed Motion for Leave to File Reply in Support of Its Motion to Compel Testimony of Government Witnesses 	
4.	<p>(Docket #5128) United States' Motion to Quash the Subpoenas of Ira Burney and Debbie Chang and in Support of a Protective Order</p> <p>(Docket #5129) Memorandum in Support of United States' Motion to Quash the Subpoenas of Ira Burney and Debbie Chang and in Support of a Protective Order</p> <ul style="list-style-type: none"> ● (Docket #5135) Abbott Laboratories Inc.'s Opposition Motion to the United States' Motion to Quash the Subpoenas of Ira Burney and Debbie Chang and in Support of a Protective Order ● (Docket #5149) Motion for Leave to File the United States' Reply to Abbott Laboratories Inc.'s Opposition to the United States' Motion to Quash the Subpoenas of Ira Burney and Debbie Chang and in Support of a Protective Order 	
5.	<p>(Docket #5156) United States' Motion for a Protective Order Regarding Abbott's Rule 30(b)(6) Notices</p> <p>(Docket #5157) Memorandum in Support of United States' Motion for a Protective Order Regarding Abbott's Rule 30(b)(6) Notices</p> <ul style="list-style-type: none"> ● (Docket #5177) Defendant Abbott Laboratories, Inc.'s Response to the United States' Motion for a Protective Order Relating to Abbott's Requests for Depositions Under Rule 30(b)(6) 	

6.	(Docket #5160) Abbott Laboratories Inc.'s Motion for Reconsideration of Court's March 14, 2008 Ruling Re: Acyclovir Discovery	
7.	(Docket #5161) Motion to Reconsider the Court's Denial of Abbott's Motion for a Protective Order Relating to the Proposed Deposition of Richard A. Gonzalez	
8.	(Docket #5169) Unopposed Motion for Enlargement of Time to Respond to the United States' First Amended Complaint <ul style="list-style-type: none"> • (Docket #5168) Unopposed Motion for Enlargement of Time to Respond to the United States' First Amended Complaint 	
9.	(Docket #5173) Abbott Laboratories, Inc.'s Motion to Compel Production of Documents from the United States	
10.	(Docket #5174) Abbott Laboratories, Inc.'s Motion to Compel Sufficient Responses to Abbott's Requests for Admissions <ul style="list-style-type: none"> • (Docket #5175) Memorandum in Support of Abbott Laboratories, Inc.'s Motion to Compel Sufficient Responses to Abbott's Requests for Admissions 	
11.	(Docket #5176) Joint Motion for Enlargement of Time to Complete Six Depositions	
12.	(Docket #5178) Motion By the United States for Extension of Time to Produce Documents and a Privilege Log	
13.	(Docket #5179) United States' Motion to Compel the Production of Documents and Deposition Testimony (Docket #5180) Memorandum in Support of United States' Motion to Compel the Production of Documents and Deposition Testimony	
14.	(Docket #5181) (Abbott's) Motion for Enlargement of Time to Complete Document Production	

	United States of America ex rel. Ven-A-Care of the Florida Keys, Inc. v. Dey, Inc., et al., MDL Docket No. 05-11084-PBS Original Jurisdiction: United States District Court, District of Massachusetts	
Item No.	Pending Motions	Hearing Date
1.	None pending.	

	United States of America ex rel. Ven-A-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp., et al., MDL Docket No. 07-10248-PBS Original Jurisdiction: United States District Court, District of Massachusetts	
Item No.	Pending Motions	Hearing Date
1.	None pending.	

Respectfully Submitted,

For the United States of America,

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April 3, 2008

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above
"CORRECTED APRIL 2008 STATUS REPORT OF THE UNITED STATES AND THE
RELATOR VEN-A-CARE OF THE FLORIDA KEYS" to be served on all counsel of record via
electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy
to LexisNexis File & Serve for posting and notification to all parties.

s/ Renée Brooker

Dated: April 3, 2008